

ORDINANCE NO. 12-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a utility and drainage easement; that the applicant has represented to the City of Huntsville that H & S Enterprises, L.L.C., an Alabama limited liability company, is the owner of the property across which said easement lies; that said easement or portion being vacated is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA

COUNTY OF MADISON

QUITCLAIM DEED

THIS INDENTURE, made and entered into on this 25th day of October, 2012, by and between the CITY OF HUNTSVILLE, a municipal corporation in the State of Alabama, hereinafter referred to as "Grantor," and H&S ENTERPRISES, L.L.C., an Alabama limited liability company, hereinafter referred to as the "Grantee."

IN WITNESS

That, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), cash to it in hand paid, the receipt of which is hereby acknowledged, the same grantor does hereby remise, release, quitclaim, and convey unto said Grantee, all of its rights, title, interest, claim and demand which it may have in and to the following described property situated in the City of Huntsville, Alabama, to-wit:

COMMENCE at the center of the North boundary of Section 32, Township 3 South, Range 1 West, thence run S 02°53'00"E for a distance of 1725.00 feet; thence run S 38°20'00"W for a distance of 189.13 feet; thence run N 74°32'00"W for a distance of 1324.37 feet to a point on the Southern Right-of-Way of U.S. Highway 72, also known as University Drive; thence leaving said Southern Right-of-Way run S 00°14'12"W for a distance of 254.86 feet; thence run N 45°10'35"E for a distance of 49.45 feet to the POINT OF BEGINNING; thence continue N 45°10'35"E for a distance of 13.09 feet; thence run S 44°49'25"E for a distance of 13.08 feet; thence run N 89°50'31"W for a distance of 18.50 feet back to the POINT OF BEGINNING; The above described tract contains 0.002 acres (85.6 sq. ft.) more or less.

TO HAVE AND TO HOLD the same unto said Grantee.

IN WITNESS WHEREOF, Tommy Battle, Mayor, and Charles E. Hagood, as Clerk-Treasurer of the City of Huntsville, a municipal corporation within the State of Alabama, have hereunto set their hands and seals as and for the official act of said municipal corporation, in accordance with their duly constituted authority as such Mayor and Clerk-Treasurer on the day and year first above written.

Attest:

CITY OF HUNTSVILLE, ALABAMA

Its: Clerk-Treasurer
Charles E. Hagood

By: _____
Its: Mayor

STATE OF ALABAMA

COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Tommy Battle, whose name as Mayor of the City of Huntsville, a municipal corporation in the State of Alabama, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such Mayor and with full authority, executed the same voluntarily for and as the act of said municipal corporation.

Given under my hand and seal this the 25th day of October, 2012.

Notary Public
My Commission Expires: _____

This Instrument Prepared by:
Christine Sampson Hinson
Hinson & Hinson, P.C.
4650 Whitesburg Drive
Suite 203
Huntsville, Alabama 35802
(256) 382-5863

Ordinance No. 12-_____ (Cont.)
H & S Enterprises, LLC

ADOPTED this the 25th day of October, 2012.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 25th day of October, 2012.

Mayor of the City of
Huntsville, Alabama